

# Sole Source Justification Form

Requesting Agency/University: Capital Development Board  
 Name of Requestor: James Cockrell  
 Project Title: 102-419-074 Emergency Repair Sewage & Water Plant  
 Vendor: Heneghan and Associates PC."A/E" #56001210  
 Value of Initial Term, or if a Renewal, Value of this Renewal: \$ 5825

Bulletin or Reference Number:  
 Date: 9/25/2012  
 Department/Bureau/Section: Capital Planning,  
 Value is: ☒ Actual ☐ Estimated

## Term

☐ One-Time Purchase  
☒ Term Contract Proposed Sole Source Contract Begin Date: 10/15/2012 Proposed Sole Source Contract End Date: 10/1/2013

## Renewals

# of Potential/Remaining Renewals: N/A Length of Each Renewal in Months: N/A Total Value of All/Remaining Renewals: \$ 0

Does the term, including renewals, exceed 12 months? ☐ Yes ☐ No If yes, a detailed justification is required:

This is a: ☐ New Sole Source ☐ Pre-Negotiated Sole Source Renewal  
☒ New Sole Economically Feasible Source ☐ Change Order or Amendment to an Existing Sole Source

Professional and Artistic? ☐ Yes ☒ No Sole Source may not be used for amendments for Professional or Artistic Services if the amendment would increase the value by more than 5% of the initial award or extend the term by more than 60 days.

Provide a description of the supplies or services required: Continued design services to continue warranty, insurance, liability requirements and considerations established in the prior contract. The CDB project manager allowed the contract to expire prior to completion of the project.

## Funding

Select the type of funding to be used (check all that apply):  
☐ Federal Funds ☒ State Appropriated Funds ☐ State Grant Funds ☐ Other (Explain):

This purchase is economically only available from a single source because it is:

- ☐ Art or Entertainment Services or Athletic Events
- ☐ Compatibility of Equipment, Accessories, Replacement Parts or Service
- ☐ Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Contract Holder
- ☐ Federal/State Grant Requires Contract with Vendor
- ☐ Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s):
- ☐ Item is to be Procured for Commercial Resale
- ☐ Items Are Needed for Trial Use or Testing
- ☐ Media for Advertising
- ☐ Necessary Adjustment of Utility Facilities in Conjunction with Highway Construction
- ☐ Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses)
- ☐ Public Utility Regulated Services
- ☐ Radio and Television Broadcast Rights
- ☐ Railroad Crossings/Facilities Alterations – Proprietary
- ☐ Software License/Upgrade/Maintenance
- ☒ Other (Explain): Vendor work continue to retain warranty, insurance and liability considerations from the previous contract.

Has the Agency or University purchased these supplies/services in the past? ☒ Yes ☐ No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term:	Term From:	Term To:	Value	Description:	Contract Number:	Type:
One	10/25/2005	12/15/2010	\$ 11949	A/E Services	56001210	Competitively Bid
Two			\$			Select One
Three			\$			Select One
Four			\$			Select One
Five			\$			Select One
Six			\$			Select One
Seven			\$			Select One
Eight			\$			Select One
Nine			\$			Select One
Ten			\$			Select One

If more than 10 years, explain:

**Business Rationale**

1. Provide a detailed explanation of the need for the supplies or services: Construction contractor has 100% completed project and has been closed out. Close out paperwork requires an active contract be in place for the A/E. Project manager allowed the contract to expire.
2. Why are the requested supplies or services the only one that can satisfy your requirements? This Architect/Engineering (A/E) firm was competitively selected. They have completed some of the design work for this project. An A/E firm is required by law to stamp their seal on the plans. The design work must be completed under a licensed architect and the firm then would affix their seal. If a new firm is brought in to finish the work, they could not use the existing work because it was not approved under their supervision. The new A/E firm would be required to certify all the work and calculations, then affix their seal. This would repeat work already completed. Also, to obtain liability insurance for this type of work, and the State would incur additional unnecessary costs..
3. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: A/E firm was competitively selected under the Qualifications Based Selection Act (30 ILCS 535/). If a new firm is competitively selected to continue, it would be required to certify all the completed work and calculations, then affix their seal. This would repeat work already completed. The State would incur additional unnecessary costs for a project already 100% completed.
4. If services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: A/E firm was competitively selected under the Qualifications Based Selection Act (30 ILCS 535/). If a new firm is competitively selected to continue, it would be required to certify all the completed work and calculations, then affix their seal. This would repeat work already completed. The State would incur additional unnecessary costs for a project already 100% completed.
5. Were alternative supplies or services evaluated? ☐ Yes ☒ No
  - 5a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility:
  - 5b. If no, why were alternatives not evaluated? The original vendor has the legal obligation for the design of the project, and cannot be replaced without significant expense.
6. What efforts were made to get the best possible price? CDB has a centralized A/E fee handbook that governs contract negotiations.
7. Will this purchase obligate the State to this vendor for future purchases such as maintenance, licensing or continuing need? ☐ Yes ☒ No
  - 7a. If yes, please provide details regarding future obligations and/or needs:
8. Why is the price for this purchase considered to be fair and reasonable? CDB has an approved centralized fee negotiation process which was utilized for negotiation of the agreed upon fee.
9. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: Not a renewal
10. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required? The State of Illinois will incur the additional unnecessary costs of a new firm to perform services already completed at a cost of \$104,056.71.

**Requesting Department Signature Required**

I know and understand the contents of this Sole Source Justification and attest that all statements are true and correct and that the fairness and reasonableness of the price was adequately confirmed.



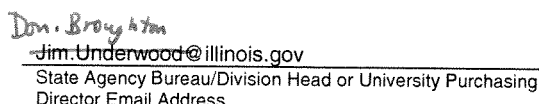
Requesting Department Representative

James Cockrell  
Printed Name9/25/12  
Date

217-782-2864

Requesting Department Representative Telephone Number

James.Cockrell@illinois.gov  
Requesting Department Representative Email Address**State Agency Bureau/Division Head or University Purchasing Director Approval and Signature Required**

State Agency Bureau/Division Head and Not a Designee or  
University Purchasing Director Signature and Not a DesigneeJim Underwood  
Printed Name9/25/2012  
Date557-3171  
217-782-2864State Agency Bureau/Division Head or University Purchasing  
Director Telephone Number

Jim.Underwood@illinois.gov  
State Agency Bureau/Division Head or University Purchasing  
Director Email Address**SPO Approval and Signature Required**

SPO Signature



Christopher Flynn

SPO Printed Name

9/25/2012

Date

217-558-2156

SPO Telephone Number

Christopher.Flynn@illinois.gov

SPO Email Address